

FUNDING MECHANISMS

Funding Mechanism	Advantages	Disadvantages	Comments
1. From Doe to regional organizations	<ul style="list-style-type: none"> Facilitates a broad, regional approach to planning and implementation that enhances consistency and uniformity Especially beneficial for new programs where early planning is needed Simplifies communication for DOE to have only one point of contact for information and discussion Cooperative agreement mechanism has proven relatively simple to administer 	<ul style="list-style-type: none"> Approach would require modification for Tribes 	

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2. Directly from EM to States and Tribes	<ul style="list-style-type: none"> • DOE deals directly with the entity with authority and responsibility for planning • DOE deals directly with each Tribe • Facilitates establishment of a structured approach that, once established, may be less susceptible to political pressures 	<ul style="list-style-type: none"> • Does not address DOE's need for joint planning and coordination among States • Would require DOE to adapt to procedures of different State agencies to whom funding is provided 	<ul style="list-style-type: none"> • Could be supplemented by provision of a limited amount of funding to regional organizations to facilitate joint planning • Could avoid problem of State agency selection by DOE requiring State to designate the responsible State agency and/or by State establishing a coordination mechanism (e.g. New Mexico's Task Force)

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3. DOE payment of shipment fees to States and Tribes	<ul style="list-style-type: none"> • Offers an equitable mechanism for ensuring that service users pay for actual services and facilities used • Would not place entire burden of payment on DOE (other shippers would also have to pay) • Eliminates middleman and need for DOE administrative structure 	<ul style="list-style-type: none"> • Tribal application uncertain: <ul style="list-style-type: none"> - Tribal legal authority unclear - Infrastructure may not be in place - State/Tribal issues on jurisdiction may arise - Could result in requirement to pay a series of fees • Potential for State political problems in adding or increasing fees • Some State legislators prefer to control use of State- assessed fees • DOE would have no ability to provide for communities along shipment routes • ATA has successfully challenged assessment of flat fees; alternatives are complex • Would require offset for 180(c) payments • States may expect EM funding also • Would require assessment of proportional DOE shipping impact 	<ul style="list-style-type: none"> • Detailed discussion of this mechanism revealed many practical problems

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4. Through another Federal agency	<ul style="list-style-type: none"> • May be more administratively efficient to use an existing Federal agency structure • May facilitate coordination among the Federal agencies currently involved in funding various emergency management and safe transport activities 	<ul style="list-style-type: none"> • Focus on radiological shipments and direct contact/discussion with DOE would be diminished • FEMA the most feasible agency, given existing structure and regulations; however, opposition was expressed based on: <ul style="list-style-type: none"> - previous State experience - Tribal concerns that FEMA lacks an effective mechanism for addressing Tribal needs 	<ul style="list-style-type: none"> • Topic group members expressed little support for this mechanism

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5. DOE-wide umbrella grant	<ul style="list-style-type: none"> • May be more efficient and could cut administrative burden and costs • Provides one, rather than multiple DOE points of contact • Could facilitate coordination among DOE programs and shipments and lead to comprehensive, radiological transportation planning • An open, structured funding program could reduce political pressure on DOE 	<ul style="list-style-type: none"> • Current programs have differing requirements and may be subject to separate authorizing legislation (e.g., WIPP, NWPA) • Even when not constrained by legislation, programs have different funding histories and requirements, including recipient expectations • May be politically difficult to establish such a mechanism • May encounter internal stumbling blocks, including: <ul style="list-style-type: none"> -Turf battles, especially at the Field Office level -Possible OCRWM wish to maintain a separate 180(c) program 	<ul style="list-style-type: none"> • Overall, topic group participants concluded that this mechanism “made sense” and that the issue was one of will rather than technical difficulties • Legal issues such as commingling of funds could be overcome by adopting FEMA’s annex approach • Topic group members’ broad discussion of this mechanism leaves unresolved several key issues, as itemized in Attachment A